

REMARKS/ARGUMENTS

In view of the following remarks, reexamination of the present application is respectfully requested. Claims 39-69 are currently pending. In response to the Office Action, Claims 40-45, 50-53, and 59-61 have been cancelled, and Claims 39, 46-49, 54-57, 62-64, and 68 have been amended without adding new matter. Accordingly, it is believed that the claims now pending are in condition for immediate allowance and notice to such effect is requested at the Examiner's earliest convenience.

Objection to Declaration:

The Declaration was objected to for lacking a date of signature to accompany the signature of Applicant Haystead. In response, a Substitute Declaration is included herein.

Objection to Abstract of the Disclosure:

The Abstract of the Disclosure was objected to for including the legal phraseology "comprising." In response, the Abstract of the Disclosure has been amended as required in the Office Action.

Rejections Under 35 U.S.C. §112:

Claims 39-69 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, independent Claim 39 has been amended to include the limitations of dependent claims 40-45 and now positively recites that a compound of the proteome is bound to the ligands on the array of affinity elements.

Claim 44 has been cancelled and the limitations thereof have been incorporated into amended Claim 39.

Intervening Claim 54 has been amended to provide antecedent basis to "the collection tubes" and "the centrifuge basket" in Claim 56.

The Applicants thus submit that the amendments described above address the rejections under 35 U.S.C. §112, second paragraph.

Rejections Under 35 U.S.C. §102:

Claims 39-42 were rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent Publication No. US 2002/0001803 to Smith *et al.* In response, Claim 39 has been amended to include the limitations of Claims 40-45 as suggested by the Examiner. Accordingly, the Applicants request withdrawal of this rejection.

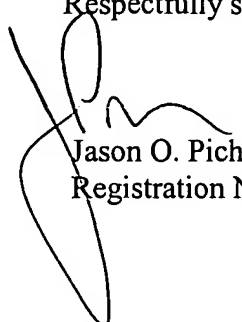
Rejections Under 35 U.S.C. §103:

Claims 39-44, 50-53, and 59-61 were rejected under 35 U.S.C. §103(a) as being unpatentable over either PCT Publication No. WO 00/63694 to Haystead or the article entitled "Proteome Mining: Exploiting Serendipity in Drug Discovery" by Haystead and Young, in view of U.S. Patent No. 6,274,088 to Burbaum *et al.* In response, and as previously indicated, Claim 39 has been amended to include the limitations of cancelled Claims 40-45 as suggested by the Examiner. Additionally, Claims 50-53, and 59-61 have been cancelled. The Applicants thus submit that all rejections in the Office Action have been addressed and that Claims 39, 46-49, 54-58, and 62-69 are in condition for immediate allowance.

In conclusion, for the reasons set forth above, the Applicant submits that all claims now pending are in condition for immediate allowance. Accordingly, notice to such effect is respectfully requested at the Examiner's earliest opportunity.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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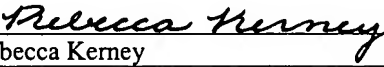
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 13, 2003


Rebecca Kerney